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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,296	01/14/2000	Shu-Hsia Chen	6923-084	7224

20583 7590 07/30/2003

PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

EXAMINER	
REYNOLDS, DEBORAH J	
ART UNIT	PAPER NUMBER

1632

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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REFERRED TO REC'D	<i>[Signature]</i>
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Pennie & Edmonds O.K. for filing	



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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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F

AUG 12 2003

Paper No.

**Notice of Non-Compliant Amendment (Voluntary Revised Practice)**

The amendment filed 7/3/03 under the voluntary revised amendment practice guidelines<sup>1</sup>, published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☒ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☐ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: \_\_\_\_\_

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LIE: Check one of the following boxes:

- ☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

[ Signed by Team Leader ]

Team Leader

Tina Plunkett For Ms Frieson

<sup>1</sup> For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at:  
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf> and  
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprac.pdf>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Chen <i>et al.</i>	Confirmation No.:	7224
Serial No.:	09/735,296	Art Unit:	1632
Filed:	January 14, 2000	Examiner:	Chen, Liping
For:	COMBINATION THERAPY OF CANCER BY THE ACTIVATION OF CO- STIMULATORY MOLECULES EXPRESSED BY IMMUNE CELLS AND CYTOKINES	Attorney Docket No:	6923-084

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the time for response to the Office Action dated January 3, 2003 be extended for a period of 3 month(s) from April 3, 2003 to and including July 3, 2003.

The fee for this extension is estimated to be \$930.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Date: July 3, 2003

Respectfully submitted,

by: *Jaqueline Benn*  
*Laura A. Coruzzi* Reg No. *43,492*  
30,742  
Laura A. Coruzzi (Reg. No.)

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(212) 790-9090

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Express Mail No. EV 335 855 944 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: *Chen et al.* Confirmation No.: 7224  
Serial No.: 09/735,296 Art Unit: 1632  
Filed: January 14, 2000 Examiner: Chen, Liping  
For: COMBINATION THERAPY OF  
CANCER BY THE  
ACTIVATION OF CO-  
STIMULATORY MOLECULES  
EXPRESSED BY IMMUNE  
CELLS AND CYTOKINES Attorney Docket No: 6923-084

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FEE TRANSMITTAL SHEET

AUG 18 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be **\$858.00**.

The claim amendment fee has been estimated as shown below:

(Col. 1)0		(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA		RATE		ADDIT. FEE	
TOTAL	68	MINUS	25	43	x 9	\$		x 18	\$ 774.00
INDEP.	4	MINUS	3	1	x 42	\$		x 84	\$ 84.00
						\$		\$	0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						TOTAL	\$	OR	TOTAL \$ 858.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.  
A copy of this sheet is enclosed.

Date: July 3, 2003

Respectfully submitted, *by Jacqueline Benn*  
*Laura A. Coruzzi* Reg No. 43,492  
*Laura A. Coruzzi* 30,742  
(Reg. No.)  
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1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure



08-13-03 41

1632

Express Mail No. EV335856600US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chen et al. Confirmation No.: 7224

Serial No.: 09/735,296 Art Unit: 1632

Filed: January 14, 2000 Examiner: Reynolds, Deborah L.

For: COMBINATION THERAPY OF CANCER BY THE ACTIVATION OF CO-STIMULATORY MOLECULES EXPRESSED BY IMMUNE CELLS AND CYTOKINES Attorney Docket No: 6923-084

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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In response to the Notice of Non-Compliant Amendment mailed on July 30, 2003 in connection with the above-identified patent application, Applicants submit herewith a Revised Amendment Under 37 C.F.R. § 1.111. The Amendment has been revised to list all of the claims in the application and their current status as called for by the Voluntary Revised Amendment Practice. Applicants respectfully submit that the Revised Amendment is therefore in compliance with the Voluntary Revised Amendment Practice.

No fee is believed to be due with this submission. However, should the U.S. Patent and Trademark Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date: August 12, 2003

*Laura A. Coruzzi* 30,742  
Laura A. Coruzzi (Reg. No.)  
**PENNIE & EDMONDS LLP**  
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By: *Jennifer J. Chedder*  
Reg No 46,617